

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13002, of The Riggs National Bank of Washington, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.48 to continue to operate a parking lot in the R-2 and C-1 Districts at the premises 3808-3810 and 3814-3816 Morrison Street, N.W. (Square 1859, Lot 95).

HEARING DATE: July 25, 1979

DECISION DATE: July 25, 1979 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the south side of Morrison Street just west of Connecticut Avenue. It is in part in the R-2 and C-1 Districts.
2. The property presently serves as a parking lot for customers of the Riggs National Bank located immediately adjacent to the lot to the east at the intersection of Connecticut Avenue and Morrison Street, N.W.
3. The applicant proposes a continuation of a parking facility at this location.
4. The lot provides for twenty-eight cars, and is open only during the hours the bank is open. The lot is supervised by an attendant on duty during those hours.
5. The applicant may maintain a parking facility as a matter-of-right on the C-1 portion of the lot, provided the provisions of Article 74 of the Zoning Regulations are met. The Board finds that the portion of the lot within the C-1 District is not before the Board.
6. The lot is contiguous to and is located entirely within 200 feet of a commercial district.
7. The applicant has complied with all of the requirements of Article 74.

8. The application was referred to the Department of Transportation on June 19, 1979. No report from the Department was received by the Board.

9. The subject lot has existed and operated with BZA approval since 1955.

10. Testimony of surrounding property owners at the time of public hearing revealed that the lot is supervised with a very conscientious attendant, and is very well landscaped and maintained.

11. There was no written report from Advisory Neighborhood Commission 3G on this application.

12. There was one letter from an owner of property on Morrison Street noting problems caused by congestion of cars waiting to use the drive-in parking facility. The Board finds that the drive-in window are on the C-1 portion of the lot, and are not directly before the Board. The Board finds that the driveway for these windows is as long as possible given the configuration of the applicant's property. Based on testimony at the hearing, the Board further finds that any congestion or traffic problems created is minimal and is of only short duration and that the bank has taken all reasonable measures to avoid adverse traffic impacts.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing finding of fact and the evidence of record, the Board concludes that the applicant has substantially meet the requirements of Paragraph 3101.48. The Board concludes that continuation of this parking facility will not create dangerous or otherwise objectionable traffic conditions. The Board further concludes that the present character or future development of the surrounding neighborhood will not be adversely effected. The applicant complies presently with the provisions of Article 74, and the lot is reasonably necessary and convenient to the facility it proposes to serve. The Board notes that this is an exceptionally well maintained and well run facility. Accordingly, it is hereby ORDERED that the application be APPROVED subject to the following CONDITIONS:

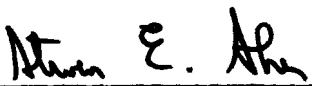
- a. Approval shall be for a period of TWO YEARS from the date of the expiration of the previous certificate of occupancy.

- b. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- c. An eight inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- d. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- e. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- f. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
- g. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.
- h. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

VOTE: 4-0 (Charles R. Norris, William F. McIntosh, Chloethiel Woodard Smith and Leonard L. McCants to GRANT).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 27 SEP 1979

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UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.